

REMARKS

This responds to the Office Action mailed on April 24, 2007.

Claims 1, 10-11, 16-17, and 25 are amended; as a result, claims 1-34 are now pending in this application.

Support for the above amendments may be found in a variety of locations throughout the original filed specification. By way of example only, the Examiner's attention is directed to page 7 of the original filed specification first full paragraph, page 8 first full paragraph, page 9 last full paragraph and continuing to first paragraph of page 10, page 11 second full paragraph, and page 12 first full paragraph.

§112 Rejection of the Claims

Claim 11 was rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. Applicant has fixed claim 11 as requested by the Examiner by way of amendment enumerated above. Accordingly, this rejection is no longer appropriate and should be withdrawn. Applicant respectfully requests an indication of the same.

§102 Rejection of the Claims

Claims 1-2 were rejected under 35 U.S.C. § 102(e) for anticipation by Banks (U.S. 2003/0140225). It is of course fundamental that in order to sustain an anticipation rejection that each and every element or step must be taught or suggested in the exact detail and identical arrangement in the cited reference.

Banks is directed to making a purchase by a buyer in an online transaction anonymous. In Banks it is the client that directly contacts the Home Provider for an anonymous credential. The Home provider supplies the credential to the vendor. The vendor contacts the Home Provider with the credential for verification. The Examiner's attention is directed to the following locations within Banks for support of this processing scenario: Banks, Abstract, paragraphs 10-13, 24, 37-43 (single session), and 74.

These distinctions are not insignificant because the processing enumerated above with respect to Banks requires that both the client (purchaser) and the vendor have to be preconfigured to operate with the Home Provider. As a result, large scale deployment of the Banks approach is

probably not feasible or practical, since it cannot work with legacy transactions because the purchaser must directly communicate with the Home Provider (intermediary service) and the vendor must directly communicate with the Home Provider. So, legacy operation is not capable with the Banks' approach.

Conversely, Applicant has amended the independent claims to now more completely illustrate the differences with Banks. Specifically, the requestor (client) is not even aware of the processing taking place because the requests are sent directly to a desired service and intercepted for processing. This scenario and these limitations permit legacy deployment, which Banks cannot support because to achieve this there is no prior modification needed to the requestor, since the requestor is entirely unaware of the processing. Secondly, the temporarily assigned identity information is not sent back to the requestor as it is required to be in Banks, rather it is sent directly to the service on behalf of the requestor and along with the original request.

Again, this illustrates that no modification whatsoever is needed to the requestor for this to occur. Moreover, the request accompanies the temporarily assigned identity information so that the service believes this is a typical access request from an identity that it is to authenticate via the temporarily assigned identity information, which accompanies the requests. Still further, the temporarily assigned identity information is in a syntax and semantic format expected by the service to authenticate the requestor. So, no changes are needed to the target service for this processing to work.

It is clear that the above enumerated limitations support deployment within legacy environments whereas the teachings of Banks cannot support this because they lack the limitations enumerated above and specifically teach an entirely contrary arrangement. Thus, Applicant asserts that with respect to these newly added limitations, the Banks reference actually teaches away from Applicant's claims.

Accordingly, Applicant respectfully asserts that Banks cannot anticipate amended independent claim 1 and as such the rejections should be withdrawn and claims 1 and 2 allowed. Applicant respectfully requests an indication of the same.

§103 Rejection of the Claims

Claims 3-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Banks as applied to claims 1 and 2 above, and further in view of Gupta et al. (U.S. 6,868,448).

Obviousness is only permitted when the proposed combination teaches or suggests each and every step or element in the combination. There must also be some common sense reason for combining the references in the first instance.

All the arguments raised above with respect to the processing and newly added limitations to the claims (also added in each of the independent claims) are incorporated by reference herein for the rejections with respect to the Banks reference.

Gupta is directed to a technique whereby all services appear to be local to a client. To make this happen, Gupta uses a variety of local services to a client to dynamically download and install remote services as local client services. If a particular remote service cannot be locally installed in the client environment, then a proxy is created to make that remote service appear to be local to the client.

In some ways Gupta is similar to Banks in that a client sends requests not to the services but to a service locator or request handler. Moreover, the client communicates with the proxy and is unaware that it is actually communicating with the remote server. See Gupta, Abstract, column 14 lines 22-25, last two paragraphs of column 14, etc.

In other words, the client in Gupta communicates with specific processing associated with making the Gupta technique happen as does Banks. Moreover, when a proxy is used the client is configured to interact with the proxy as a local service and is unaware of the remote service. Conversely, in the amendments enumerated above the client at all times believes it is directly communicating with the service this is so because it directs requests to the service and is unaware that requests are being intercepted and processed in the manner disclosed in the claims.

Moreover, Gupta lacks any teaching where the identity information is in a syntax and semantic format expected by the service for authenticating a requestor for access.

Therefore, the proposed combination still lacks each and every teaching and limitation enumerated in the amended independent claims and the rejections with respect to the combination of references should be withdrawn.

Additionally, Applicant would like to point out that the focus of Banks is on anonymity and the focus of Gupta is on localization of services. Applicant does not believe these two teachings are compatible because localizing the vendor processing within the client environment would create bigger security concerns for both the vendor and the client and would not be desirable, especially since in most cases the clients in Banks are maybe accessing a vendor once and does not need the vendor service on their device for anything else. Thus, Applicant believes there is no common sense reason why one of ordinary skill in the art would elect to combine these references, since to do so would compromise the very teachings of each and in particular Banks. Therefore, Applicant respectfully asserts that the teachings of the references are incompatible with one another can that the combination is improper. For this additional reason, the rejections with respect to the combination should be withdrawn and the claims of record allowed.

RESERVATION OF RIGHTS

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 24 day of July 2007.

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